

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LEONARD C. JEFFERSON,  
Plaintiff,

V. '07 JAN 24 10:37 C.A. NO. 04-44 ERIE

WILLIAM WOLFE, et al.,  
Defendants. CLERK  
U.S. DISTRICT COURT

PLAINTIFF'S SUPPLEMENTAL RULE 56(f) MOTION

AND NOW comes plaintiff Leonard C. Jefferson pursuant to Rule 56(f) of Fed.R.Civ.P. and, under penalty of perjury, assert the following:

1. PLAINTIFF'S RULE 56(f) MOTION was mailed to the Clerk's Office, and Defense Counsel, on 01/08/07.

2. Said motion respectfully asked:

"...that this Court issue an Order which: (1) requires Defendants to provide documents requested at ¶¶ 2(e) and 2(h) of PLAINTIFF' THIRD INTERROGATORY AND SECOND REQUEST FOR PRODUCTION OF DOCUMENTS, (2) require Defendant McKissock to answer the request for admissions which she objected to on 11/30/06, and (3) extend the 01/12/07 deadline for filing Summary Judgment Motions to a date that is at least twenty-one (21) days after the day upon which Defendants complete service of all of the documents and requests for admissions discussed herein."

3. Defense Counsel mailed the above-mentioned request/answers from Defendant McKissock on 01/09/07.

4. On 01/16/07 Plaintiff mailed PLAINTIFF'S 01/16/07 RULE 37 MOTION to the Clerk's Office and Defense Counsel.

5. The Rule 37 Motion respectfully requested:

"... that this Court issue an Order that: (1) requires defendants to 'provide Plaintiff with a copy of any/all written documents produced by each Support Team member related to Plaintiff's poetry and the Chapel Clerk job' in response to Plaintiff's request at ¶ 15 of his (08/02/06) First Request; (2) requires Defendants to provide Plaintiff with 'a copy of each document generated prior to, during and after the Support team Meeting conducted by the Chaplaincy department during the Summer of 2002 concerning Plaintiff' in response to Plaintiff's request at ¶ 2(e) of his (10/29/06) Second Request; (3) overrules Defendant Beard's objections to ¶¶ 3, 8, 18, 22, 23, 24,

25, 26, 27, 28 and 29 of Plaintiff's 12/05/06 request For Admissions; and (4) requires Defendant Beard to either admit or deny the truth of the statements at ¶¶ 3, 8, 18, 22, 23, 24, 25, 26, 27, 28, and 29 of Plaintiff Request For Admissions."

6. According to its Certificate of Service Defendants MOTION FOR SUMMARY JUDGMENT was filed electronically with the Clerk on 01/12/07, the summary judgment deadline previously set by the Court.

7. According to the U.S. Mail postmarks on its envelope Defendants' MOTION FOR SUMMARY JUDGMENT was mailed to Plaintiff on 01/16/07. (See Attachment "A")

8. Plaintiff received it on 01/18/07.

9. As a consequence of the uncompleted/unanswered discovery requests, stated above in ¶¶ 2 and 5, Defendants have not provided documents to Plaintiff which are essential to justify and support Plaintiff's opposition to Defendants' MOTION FOR SUMMARY JUDGEMENT.

WHEREFORE Plaintiff respectfully asks this Court to issue an Order which sets a new deadline for the Response to Defendants' MOTION FOR SUMMARY JUDGMENT, at a date that is at least twenty-one (21) days after the day upon which Defense Counsel actually mails to Plaintiff each of the documents and admissions set forth above.

Respectfully submitted

*Leonard C. Jefferson*

I HEREBY SWEAR BY ALLAAH THAT THE FOREGOING IS TRUE AND CORRECT FROM MY PERSONAL KNOWLEDGE AND THAT ANY FALSE STATEMENT HEREIN IS MADE SUBJECT TO PENALTY OF PERJURY PURSUANT TO U.S.C.A. § 1746.

*Leonard C. Jefferson*

Leonard C. Jefferson, CL-4135  
10745 Rt. 18  
Albion, PA 16475-0002

Dated: January 21, 2007

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing PLAINTIFF'S SUPPLEMENTAL RULE 56(f) MOTION was placed in the mailbox on B/B Unit at SCI-Albion on this *22nd* day of January, 2007 for delivery by first-class U.S. Mail to:

Christian D. Bareford  
Deputy Attorney General  
Office of Attorney General  
6th Floor, Manor Plaza  
564 Forbes Avenue  
Pittsburgh, PA 15219

*Leonard C. Jefferson*  
Leonard C. Jefferson, CL-4135  
10745 Rt. 18  
Albion, PA 16475-0002

OFFICE OF ATTORNEY GENERAL  
MANOR COMPLEX  
564 FORBES AVENUE  
PITTSBURGH, PA 15219

LEONARD JEFFERSON  
CL-4135  
SCI-ALBION  
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ATTACHMENT "A"